

ASSEMBLY BILL

No. 801

Introduced by Assembly Member Swanson

February 17, 2011

An act to add Section 829.7 to the Penal Code, relating to code enforcement officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 801, as introduced, Swanson. Code enforcement officers: training.

Existing law defines a code enforcement officer to include specified public employees whose duties include enforcement of any statute, rules, regulations, or standards, and who are authorized to issue citations or file formal complaints. That definition also includes specified public employees of the Department of Housing and Community Development who have enforcement authority for health, safety, and welfare requirements imposed pursuant to specified provisions of state law relating to housing.

This bill would establish minimum training standards and a continuing education requirement for code enforcement officers. The bill would require each of these employees to complete a certified basic training program within one year of his or her initial appointment, and to complete intermediate and advanced levels of certified training, as specified. The bill would require public entities that employ a code enforcement officer to adopt requirements for, and require all code enforcement officers to wear, apparel or a uniform that allows members of the public to recognize the person wearing the apparel or uniform as a public officer.

By imposing new requirements on local employees and employers, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 829.7 is added to the Penal Code, to read:
- 2 829.7. (a) The purpose of this section is to establish uniform
- 3 minimum training standards designed to increase the level of
- 4 competency and reliability of code enforcement officers, to improve
- 5 and expand the professional training available to code enforcement
- 6 officers, to encourage the active participation of local governments
- 7 in the code enforcement training standards process, and to develop
- 8 training criteria that will enhance each local government's ability
- 9 to protect the lives and property of its citizens.
- 10 (b) A public agency employing a code enforcement officer shall
- 11 adopt requirements for, and require all code enforcement officers
- 12 to wear, apparel or a uniform that allows members of the public
- 13 to recognize the person wearing the apparel or uniform as a public
- 14 officer.
- 15 (c) A public agency employing a code enforcement officer shall
- 16 adopt a set of standards and minimum education requirements that
- 17 do all of the following:
- 18 (1) Establish the number of hours of continuing education
- 19 required for an employee to be certified as a code enforcement
- 20 officer.
- 21 (2) Establish an approved curriculum, which shall include
- 22 material regarding changes in applicable law.
- 23 (3) Require code enforcement officers to complete, and certify
- 24 code enforcement officers as having successfully completed, the
- 25 following training programs:
- 26 (A) A code enforcement officer shall successfully complete a
- 27 certified basic training program within 12 months of his or her
- 28 initial appointment. Training may be suspended in the event of an

1 interruption in employment, but each period of service as a code
2 enforcement officer shall be counted toward the 12-month time
3 period described in this subparagraph. The failure of a code
4 enforcement officer to complete a certified basic training program
5 within two years after his or her initial appointment shall result in
6 the forfeiture of any accrued training credit.

7 (B) A code enforcement officer shall successfully complete the
8 intermediate level of certified training within 12 months from when
9 he or she successfully completes the basic training program.

10 (C) A code enforcement officer shall successfully complete the
11 advanced level of certification within 24 months from when he or
12 she successfully completes the intermediate training program.

13 (D) Code enforcement officers shall successfully complete a
14 minimum of 16 hours of in-service training each year to maintain
15 a minimum level of proficiency and certification by California
16 Association of Code Enforcement Officers or an institute of higher
17 education.

18 (d) The certified training program described in paragraph (3)
19 of subdivision (c) shall be administered by any of the following:

20 (1) An organization comprised of at least 750 code enforcement
21 officers, which provides at least 20,000 hours of annual
22 person-hours of training.

23 (2) A career technical education program.

24 (3) An institution of higher education.

25 SEC. 2. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.